

8903. Adulteration and misbranding of orange crush. U. S. * * * v. 22
Cases of Orange Crush, So-Called. Default decree of condemna-
tion, forfeiture, and destruction. (F. & D. No. 11461. I. S. No. 6246-r.
 S. No. C-1491.)

On October 8, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22 cases of orange crush, so called, remaining unsold in the original unbroken packages at Grand Rapids, Mich., alleging that the article had been shipped on or about July 3, 1919, by the Orange Crush Co., Chicago, Ill., and transported from the State of Illinois into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Ward's Orange Crush in concentrated form prepared with oils, pressed from the peel of fresh ripe oranges and sugar sirup," and the label on each of said bottles containing the articles bore a picture or design of oranges with orange twigs and blossoms.

Adulteration of the article was alleged in the libel for the reason that certain substances had been substituted in whole or in part for said article of food, namely, a product composed of sugar, water, flavor, and color, to wit, sugar sirup artificially colored and flavored had been substituted for a product made wholly from fruit, namely, oranges. Adulteration was alleged for the further reason that the article was mixed and artificially colored in a manner whereby the inferiority of said article of food was concealed.

Misbranding was alleged in substance for the reason that the label of the article bore the above-mentioned statements, designs, and devices, regarding the article, which were false and misleading in that they purported to state and represent that the article was made wholly from fruit, namely, from oranges, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser thereof to believe that he was buying an article of food made wholly from fruit, namely, oranges, when, in truth and in fact, it was not a product of crushed oranges and was not wholly a product of oranges, and was, in fact, not so made, but was mixed and adulterated with other articles as hereinbefore fully set forth.

On December 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8904. Misbranding of Dr. Harper's Anti-Cholera Tonic for Hogs. U. S.
*** * * v. 7 Dozen Packages of Dr. Harper's Anti-Cholera Tonic**
for Hogs. Default decree of condemnation, forfeiture, and de-
struction. (F. & D. No. 11787. I. S. Nos. 8722-r, 8723-r, 8724-r. S. No.
 C-1565.)

On December 17, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen packages of Dr. Harper's Anti-Cholera Tonic for Hogs, remaining unsold in the original unbroken packages at Strang, Okla., alleging that the article had been shipped on or about June 23, 1919, by the Elite Chemical Co., Watertown, Tenn., and transported from the State of Tennessee into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Dr. Harper's Anti-Cholera Tonic for Hogs Given to prevent diseases of swine For